

## **REMARKS**

### **Summary of Office Action**

Claims 1, 2, 15, and 17 stand rejected under §102(e) as allegedly being anticipated by Hayakawa et al. (US Pat. No. 6,858,898).

Claims 16, 19, and 35 stand rejected under §102(e) as allegedly being anticipated by Segawa (US Pat. No. 6,492,778).

Claims 3, 18, 20-23, and 36 stand objected for being dependent on rejected base claims but are indicated as being allowable if rewritten in independent form including all the limitations of the base claim and any intervening claims.

Claims 4-14, 24-28, 30 and 32-34 stand allowed.

### **Summary of Amendment**

Claims 1 and 15 have been rewritten to incorporate the features of their objected dependent claims 3 and 18, respectively. Claims 10, 16, and 24 have been amended. No new matter has been added. Claims 3, 18, 29, and 31 stand cancelled. Therefore, claims 1, 2, 4-17, 19-28, 30 and 32-36 are currently pending for consideration.

### **Allowable Subject Matter**

Applicant thanks the Examiner for the allowance of claims 4-14, 24-28, 30 and 32-34 and the indication of allowable subject matter in claims 3, 18, 20-23, and 36. By the amendment above, objected claims 3 and 18 have been incorporated into their respective independent claims 1 and 15. Accordingly, Applicant submits that claims 1 and 15, and their dependent claims 2,

10-13, 17, and 24-27 are now in condition for allowance.

Dependent claims 20-23 and 36 have not been rewritten in independent form at this time because Applicant believes these claims depend from now allowable claim 16, as amended, for the reasons explained below.

**All Claims Comply With §102**

Claims 1, 2, 15, and 17 stand rejected under §102(e) as allegedly being anticipated by Hayakawa et al. Claims 16, 19, and 35 stand rejected under §102(e) as allegedly being anticipated by Segawa. Applicant respectfully traverses.

As explained above, independent claims 1 and 15 have been amended to incorporate the features indicated as being allowable in dependent claims 3 and 18, respectively. Hence, independent claims 1 and 15, and therefore their dependent claims 2, 10-13, 17, and 24-27, are now in condition for allowance. Accordingly, Applicant requests that the §102 rejection over Hayakawa et al. be withdrawn.

As amended, independent claim 16 recites, in part, “forming at least one low refractive thin film directly on a substrate.” Applicant respectfully submits that Segawa fails to teach or suggest at least this feature. It is well settled that a claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference. *Verdegaal Bros. v. Union Oil Co. of California*. 814 F.2d 628, 2 USPQ2d 1051, 1053 (Fed. Cir. 1987). (See also MPEP. §2131.)

Accordingly, Segawa fails to anticipate independent claim 16, and therefore dependent claims 20-23 and 36 that depend from claim 16. Therefore, Applicant requests that the §102 rejection over Segawa be withdrawn.

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**CONCLUSION**

In view of the foregoing, it is believed that all the pending claims are now in condition for allowance. Should the Examiner feel that there are any issues outstanding after consideration of the response, the Examiner is invited to contact the Applicant's undersigned representative to expedite prosecution.

If there are any other fees due in connection with the filing of this response, please charge the fees to our Deposit Account No. 50-0310. If a fee is required for an extension of time under 37 C.F.R. 1.136 not accounted for above, such an extension is requested and the fee should also be charged to our Deposit Account.

Respectfully submitted,

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